

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: STERICYCLE, INC., STERI-
SAFE CONTRACT LITIGATION**

**CIVIL ACT. NO. 1:13-CV-05795
MDL NO. 2455**

JUDGE MILTON SHADUR

CLASS ACTION

**ALABAMA PLAINTIFFS' MOTION TO REVIEW PROPOSED
SETTLEMENT AGREEMENT AND BE HEARD ON ITS MERITS**

Surgical Specialists of Alabama P.C. and Internal Medicine Associates of Alabama, P.C. (collectively, the "Alabama Plaintiffs") move the Court to grant them an opportunity to review the proposed settlement agreement prior to this Court's holding a hearing or ruling on its proposed terms, and state the following as grounds:

1. On March 21, 2016, the Alabama Plaintiffs filed their Complaint in the United States District Court for the Northern District of Alabama, Western Division. That case was assigned Case No. 7:16-cv-00459-TMP (the "Alabama Case").

2. On April 8, 2016, the Alabama Case was transferred to this MDL for "coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407."

3. The Alabama Plaintiffs' counsel has previously sought the opportunity to represent its clients in settlement discussions and other parts of this litigation but has been rebuffed.

4. In August 2016, the Alabama Plaintiffs moved for leave to submit a brief opposing certification of a national class. *See* Doc. 192. The Court denied that motion.

5. The Alabama Plaintiffs have recently learned that counsel for the Lead Plaintiffs and counsel for the Defendants are seeking preliminary and ultimate approval of a settlement agreement. The Alabama Plaintiffs, however, have not been privy to any settlement negotiations and/or have not seen the proposed settlement agreement. Given that the Alabama Plaintiffs' interests, and more particularly their case, would be affected by the proposed agreement, it is only just and proper that the Alabama Plaintiffs have the opportunity to review the proposed settlement agreement.

6. This Court has set a hearing on the proposed settlement this month. Accordingly, it is imperative that the Alabama Plaintiffs be permitted to review the proposed settlement and be heard on it without delay.

WHEREFORE, the Alabama Plaintiffs respectfully request that this Court order that they be permitted to review the proposed settlement agreement. Furthermore, the Alabama Plaintiffs respectfully request that this Court grant them

leave to file a written response to the proposed settlement agreement after having the opportunity to review it.

Respectfully submitted on October 16, 2017.

s/ Benjamin B. Coulter

Benjamin B. Coulter
BURR & FORMAN, LLP
420 North 20th Street, Suite 3400
Birmingham, Alabama 35203
Telephone: (205) 251-3000
Facsimile: (205) 458-5100
bcoulter@burr.com

Admitted to this Court Pro Hac Vice

Attorney for Plaintiffs

SURGICAL SPECIALISTS OF ALABAMA,
P.C. AND INTERNAL MEDICINE
ASSOCIATES OF ALABAMA, P.C.

OF COUNSEL:

Ed Hardin, Jr.
Anthony C. Harlow
BURR & FORMAN LLP
420 North 20th Street, Suite 3400
Birmingham, Alabama 35203
Telephone: (205) 251-3000
Facsimile: (205) 458-5100
bcoulter@burr.com

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of October 2017, a true and correct copy of the foregoing was filed with the Clerk of Court using CM/ECF system, which will send notification of such filing to all counsel of record.

s/ Benjamin B. Coulter

OF COUNSEL